

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	Criminal No. 4:17-CR-284
	§	
MARY MOSLEY	§	

**GOVERNMENT'S NOTICE OF ITS INTENT  
TO USE THE TESTIMONY OF AN EXPERT WITNESS**

COMES NOW the United States of America (hereinafter referred to as the “Government”), by and through Ryan K. Patrick, United States Attorney, and Jill Jenkins Stotts, Assistant United States Attorney, for the Southern District of Texas, and files this notice of its intent to use the testimony of an expert witness pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure.

I.

The Government hereby notifies Mary Mosley (hereinafter referred to as “Mosley”) that it intends to call Houston Police Department Detective Judge E. Vigil (hereinafter referred to as “Vigil”) as an expert witness.

II.

A summary of the testimony that Vigil will provide is as follows:

That Vigil was requested by ATF Agent Dominic Rosamilia and Houston Police Department Sergeant David Helms to review phone records for Mary Mosley, Xavier Cain, Kendric Miller and Kenneth Glenn, as well as others, for on or about June 9, 2016. Vigil was asked to use the Cell Site Location Information for Kendric Miller, Xavier Cain, Kenneth Glenn, and others, to determine whether or not the cellular telephones, attributed to those individuals,

were at or near the location of IBC bank located at 3939 W. Montrose, Houston Texas on or about June 9, 2016. Vigil will testify about the results of his review of the phone records, who was calling whom, as well as Cell Site Location Information regarding the phones of Kendric Miller and Xavier Cain on or about June 9, 2016. Vigil will testify that Mary Mosley's phone was in contact with Xavier Cain and Kendric Miller on June 9, 2016 and that Xavier Cain and Kendric Miller's phones were at or near IBC Bank at 3939 W. Montrose the morning of the robbery, during the time of the robbery and immediately after the robbery.

III.

The Government has provided defense counsel a copy of the phone records as well as the Cell Site Location Information.

IV.

Vigil is qualified to conduct this type of analysis based on his education, knowledge, skill, experience and training as a Detective with the Houston Police Department.

WHEREFORE, PREMISES CONSIDERED, the Government hereby gives the defendant notice of its intent to use the testimony of an expert witness.

Respectfully submitted,

RYAN K. PATRICK  
United States Attorney

/s/ Jill Jenkins Stotts  
Jill Jenkins Stotts  
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Government's Notice of Its Intent to Use Testimony of an Expert Witness was on this 26<sup>th</sup> day of June, 2018 filed by ECF and served on counsel of record.

/s/ Jill Jenkins Stotts

Jill Jenkins Stotts

Assistant United States Attorney